

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO**

IN RE: MICHAEL B. DAVIDSON,

Case No. 11-11714-j13

Debtor

ORDER GRANTING ABANDONMENT OF PROPERTY BY DEFAULT

This matter came before the Court on the Motion For Abandonment of Property ("Motion") filed on June 6, 2011 by Springleaf Financial Services, Inc. f/k/a American General Financial Services, Inc..

The undersigned counsel for Movant certifies under penalty of perjury that on July 1, 2011, Michael E. Kushner, Attorney for Movant, accessed and conducted a search of the data banks of the Department of Defense Manpower Data Center (DMDC), and found that the DMDC does not possess any information indicating that Debtor Michael B. Davidson is currently on active military duty of the United States or her allies.

In this action, the Debtor Michael B. Davidson, having been regularly served with Springleaf Financial Services, Inc.'s Motion For Abandonment Of Property, and Notice of Objection Deadline For Motion For Abandonment Of Property, having failed to appear and answer or otherwise respond to Springleaf Financial's Motion For Abandonment filed herein, the legal time for answering having expired, and no answer, demurrer, or other responsive pleading having been filed, the Chapter 13 Trustee not responding or answering the Motion, and the Court being fully advised under the premises, FINDS THAT:

1. This Court has jurisdiction over the parties and the subject matter of this action.
2. On June 3, 2011, the Court entered the STIPULATED ORDER ON SPRINGLEAF FINANCIAL SERVICES, INC.'S OBJECTION CONCERNING AUTOMATIC STAY AND

REQUEST FOR PRELIMINARY HEARING (“Stipulated Order”) (Docket No. 30).

3. On June 17, 2011, an AFFIDAVIT OF DEFAULT PERTAINING TO STIPULATED ORDER ON SPRINGLEAF FINANCIAL SERVICES, INC.’s OBJECTION CONCERNING AUTOMATIC STAY AND REQUEST FOR PRELIMINARY HEARING was filed (“Affidavit of Default”) (Docket No. 36).

4. The Property (hereinafter “Property”) which is the subject of Springleaf Financial’s Motion is more further described as follows:

Tract 5-E-1 as shown on the plat entitled “LAND DIVISION OF LANDS OF MICHAEL DAVIDSON, BEING TRACT 5-E OF THE LANDS OF DAVIDSON, LOCATED IN SECTIONS 7 AND 8, T10N, R7E, N.M.P.M...” filed for record in the Office of the County Clerk of Santa Fe County, New Mexico, on June 8, 1995, in Plat Book 306 at page 010, as Document No. 907,503 (hereinafter “Property”).

The Property is more commonly known as 16 Ryan Rd., Edgewood, NM 87015. The term “Property” shall also include, but not be limited to, any mobile home or manufactured home which is located at or on the real property described above.

5. As provided in Paragraph 7 of the Stipulated Order, the Debtor does not have any equity in the Property.

6. Pursuant to 11 USC §554, the Property is burdensome to the estate or is of inconsequential value or benefit to the estate and should be abandoned.

7. Springleaf Financial Services, Inc. filed its Motion For Abandonment Of Property and its Notice Of Objection Deadline on June 6, 2011. The Motion and Notice were served on the Debtor Michael B. Davidson and other parties in interest on June 6, 2011 by mailing copies to the following: Michael B. Davidson, Debtor, 7005 Marilyn Ave. NE, Albuquerque, NM 87109; William P. Gordon, Attorney at Law, 2501 Yale Blvd. SE, Suite 204, Albuquerque, New Mexico 87106-4357; and Kelley L. Skehen, Trustee, 625 Silver Avenue SW, Suite 350, Albuquerque, New Mexico

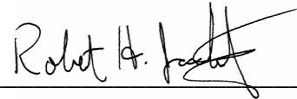
87102-3111. The deadline to respond to the Motion, including any additional time required by Rule 9006(f) was June 30, 2011. No objection has been received by this office. The court docket was checked on July 1, 2011. No objection was timely or untimely filed.

8. On July 1, 2011, counsel for Springleaf Financial received a response from the Department of Defense Manpower Data Center showing that the Debtor Michael B. Davidson is not a member of the Military Service of the United States nor its allies.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, that the default of said Debtor is hereby entered.

IT IS, FURTHER ORDERED, ADJUDGED AND DECREED the Property is burdensome to the estate or is of inconsequential value or benefit to the estate and is hereby abandoned.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that this Order is immediately enforceable.



HONORABLE ROBERT H. JACOBVITZ
U.S. Bankruptcy Court Judge

Entered on Docket Date: 7/1/11

Submitted by:

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Attorneys for Springleaf Financial
By: Electronically submitted July 1, 2011
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ALL PARTIES OR PERSONS ENTITLED TO NOTICE:

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